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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,248	04/14/2004	Dragan Veskovic	LUTR-0241/03-055 P2	6423
23377	7590	12/13/2005	EXAMINER	
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE, 46TH FLOOR 1650 MARKET STREET PHILADELPHIA, PA 19103			VO, TUYET THI	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,248

Applicant(s)

VESKOVIC ET AL.

Examiner

Tuyet Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) 49-58 and 65-69 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40, 45-48 and 59-64 is/are rejected.
- 7) ☒ Claim(s) 41-44 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/14/04, 2/17/05 & 11/21/05</u> | 6) <input checked="" type="checkbox"/> Other: <u>figs.</u> |

DETAILED ACTION

Remarks

Applicant's election of invention I included claims 1-48 and 59-64 with traverse in the reply filed on September 28, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, **the transducer and the audible signal** must be shown or the feature(s) canceled from the claims 32 and 33. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

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drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 32, 33 and 35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
4. Claim 32, lines 2 and 4, recitation of "transducer in electrical communication with said microprocessor for providing a signal perceptible to a person" is not described in the specification.
5. Claim 33, lines 2, recitation of "audible signal" is not described in the specification.
6. Claim 36, lines 35, recitation of "portion of said set of data includes information relating to at least one of the ballast's location and the ballast's duties" is not described in the specification.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-30, 37-40, 45, 46, 60 and 62 are rejected under 35 U.S.C. 102(b) as being anticipated by Helal et al. (US Pat. 5,154,504), hereinafter Helal.

Regarding claims 1-5, 8, 10-15 and 18, 20-24, Helal discloses an apparatus and method as well for gas discharge lamp (Fig. 1-4) comprising:

a microcomputer (20) for controlling a level of a ballast output signal (OUT, marked by examiner) for gas discharge lamp (22) in response to a plurality of ballast control signals (A1-A4, B1-B4, marked by examiner);

an inverter (21), inherently/conventional having at least one switch, for receiving a processor output signal (A3) from said microcomputer (20) and providing said ballast output signal (OUT) in response to said processor output signal (A3); and

a plurality of input terminals for receiving said plurality of ballast control signals (C1-C8, marked by examiner); wherein at least one of said plurality of input terminals (B3, B4) is a bidirectional terminal capable of receiving and sending control signals for communicating between the microcomputer and infrared communication transceiver (28).

Regarding claims 6, 7, 9, 16, 17 and 19, Helal further discloses an automatic self checking system performing via sequence of tests as some tests in priority than other for monitoring lighting system in emergency situation (col. 5, lines 52-67 and col. 6, lines 1-21), wherein the test sequence being controlled by memory procedure.

Regarding claims 25-30, 37-40, Helal discloses an electronic ballast (Fig. 2) for driving discharge lamp (23), comprising

An inverter (21) for producing a high frequency drive voltage for driving a lamp current in the discharge lamp (col. 5, lines 52-57);

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A microcomputer (20) electrically connected to the inverter (21) for directly controlling the inverter to control the lamp current; and

A port in electrical communications (45) with the microcomputer (Fig. 4) for sending message comprising at least one of command and ballast configuration (col. 8, lines 37-42), wherein the port (45) having one of receiving message (232-LINK, marked by examiner) and both receiving (47) and sending message (48). The microcomputer contains a program for responding to a message received via the port by sending a message via the port (Figs. 4 and 5).

Regarding claims 34, 36, 45-46, 60 and 62, Helal discloses an electronic ballast for driving at least one gas discharge lamp, comprising

an inverter circuit (21) producing a high frequency drive voltage for driving a lamp current in said at least one gas discharge lamp;

a microcomputer (20) connected directly to the inverter (21) and control said inverter to control said lamp current to a desired level;

at least one port (C1-C8) connected to said microprocessor for receiving a message and providing said message to said microprocessor, wherein a memory included in microprocessor; and a set of data stored in said memory for carry automatic self test, program test and other for controlling the lamp level in an emergency, said microprocessor being adapted to change a portion of said set of data in response to receiving a predetermined message via a Key pad or other sensing signals (voltage sensor, current sensor, light sensor, IR transceiver)

9. Claims 37-46 and 59-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Ribarich et al. (US Pat. 6,771,029), hereinafter Ribarich.

Ribarich discloses an electronic ballast for driving a gas discharge lamp (Fig. 1), comprising

an inverter circuit (18, 24) producing a high frequency drive voltage for driving a lamp current in the gas discharge lamp;

a microprocessor (22) connected to said inverter circuit (18, 24); said microprocessor directly controlling said inverter to control said lamp current to a desired level;

ports (A, B, marked by examiner) connected to said microprocessor for receiving a message/command and providing said message/command to said microprocessor;

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a memory (MEMORY) connected to said microprocessor; and a set of data stored in said memory, said microprocessor being adapted to change a portion of said set of data in response to receiving a predetermined message via the ports (col. 6, lines 61-67 and col. 7, lines 1-28), wherein a program stored in the microprocessor (22) for determining a status of the blast (18) via at least one port (B) when detecting a fault/failure condition of the inverter.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 47, 48, 63 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halel.

Halel discloses substantially the claim invention as noted above except for a port comprising a digital port.

It would have been an obvious matter of design choice to utilize digital ports in order to communicate data of ballast to a microprocessor/microcomputer for a particular application. Such implementation of digital ports for interfacing data signals with a central processing unit is considered as a routine skill in the art since digital port is well known to artisan.

Allowable Subject Matter

12. Claims 41-44, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. The following is a statement of reasons for the indication of allowable subject matter: the prior fails to establish a program stored in a microprocessor for determining a desired level; said

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program using a portion of a set of data to determine how a message received via said at least two ports is used to determine said desired level as require in claims 41 and 42 or a program stored in a microprocessor for generating a command for a lighting load, the command being sent via one of at least two ports, wherein said program utilizes a set of data to determine a content of the command in accordance with a message received via the at least two ports as required in claims 43 and 44.

Citation of pertinent prior art

14. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Fosler (US Pat. 6,762,570) discloses minimizing standby power in a digital addressable lighting interface.

Gemunder et al. (US Pat. 6,522,086) discloses photo curing light system having modulated light intensity control.

O'Dell (US Pat. 4,158,132) discloses lighting control system with cue-level confirmation.

Chen et al. (US Pub. 2005/0029967) discloses multi-lamp actuating facility.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyet Vo whose telephone number is 571 272 1830. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone numbers for the organization where this application or proceeding is assigned are 571 273 8300 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571 272 2800.

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Information regarding the status of an application or status information for publishing/unpublishing applications may be obtained from the Patent Application Information Retrieval (PAIR) system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the PAIR system, contact the Electronic Business Center (EBC) at toll free 866-217-9197.

A handwritten signature in cursive script, appearing to read 'Tuyet Vo', is written over a horizontal line.

Tuyet Vo

Primary Examiner

December 08, 2005

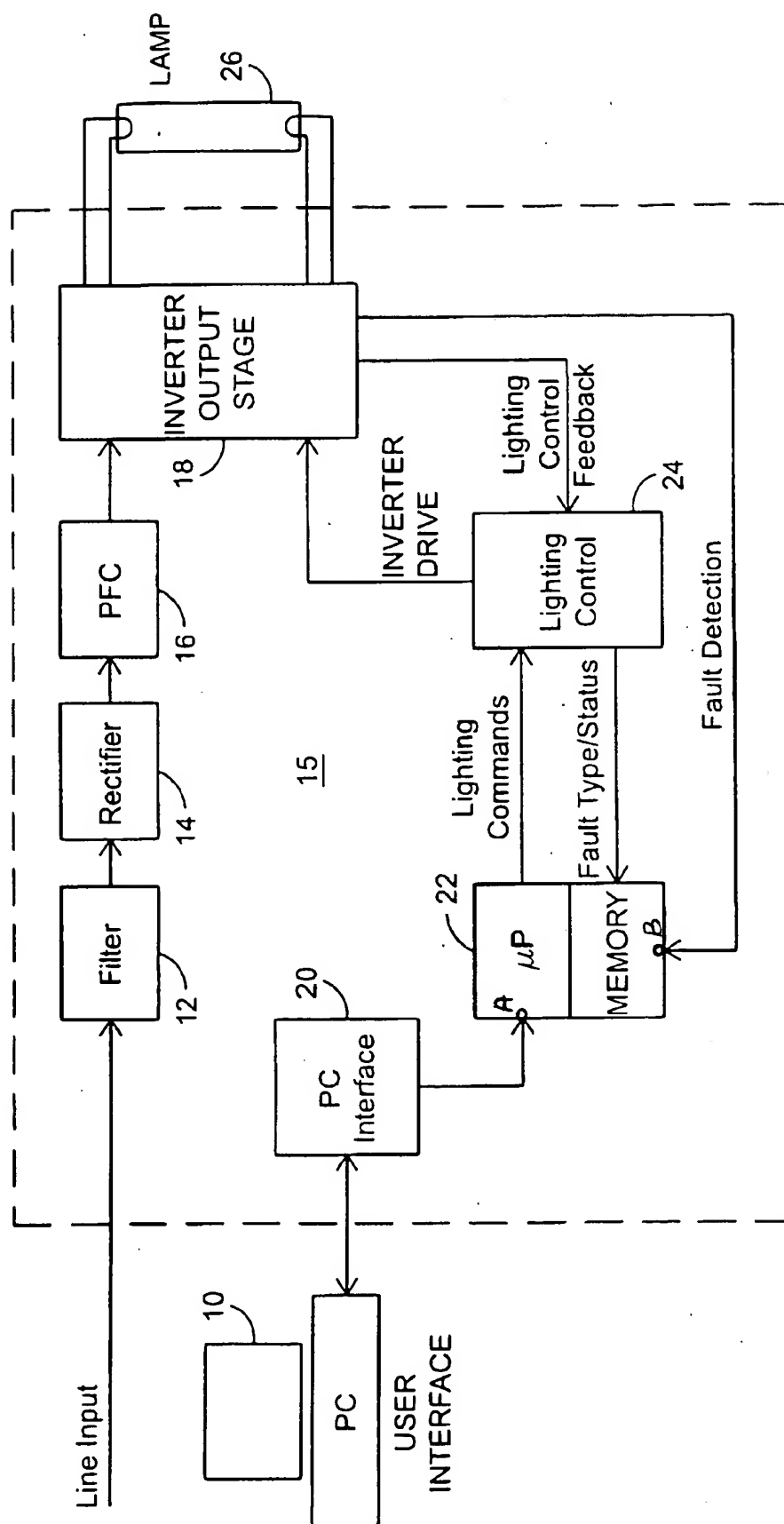
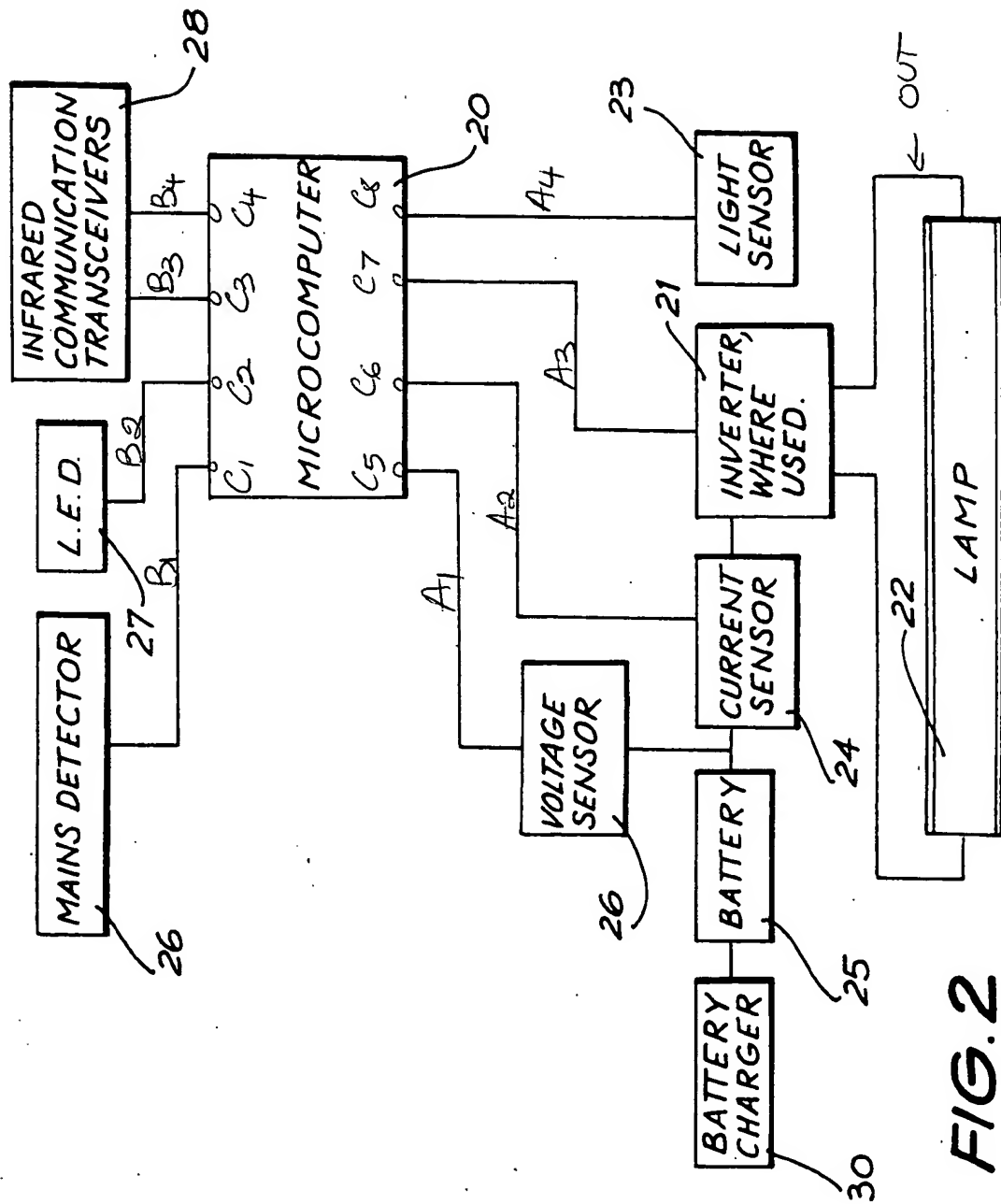


FIG. 1



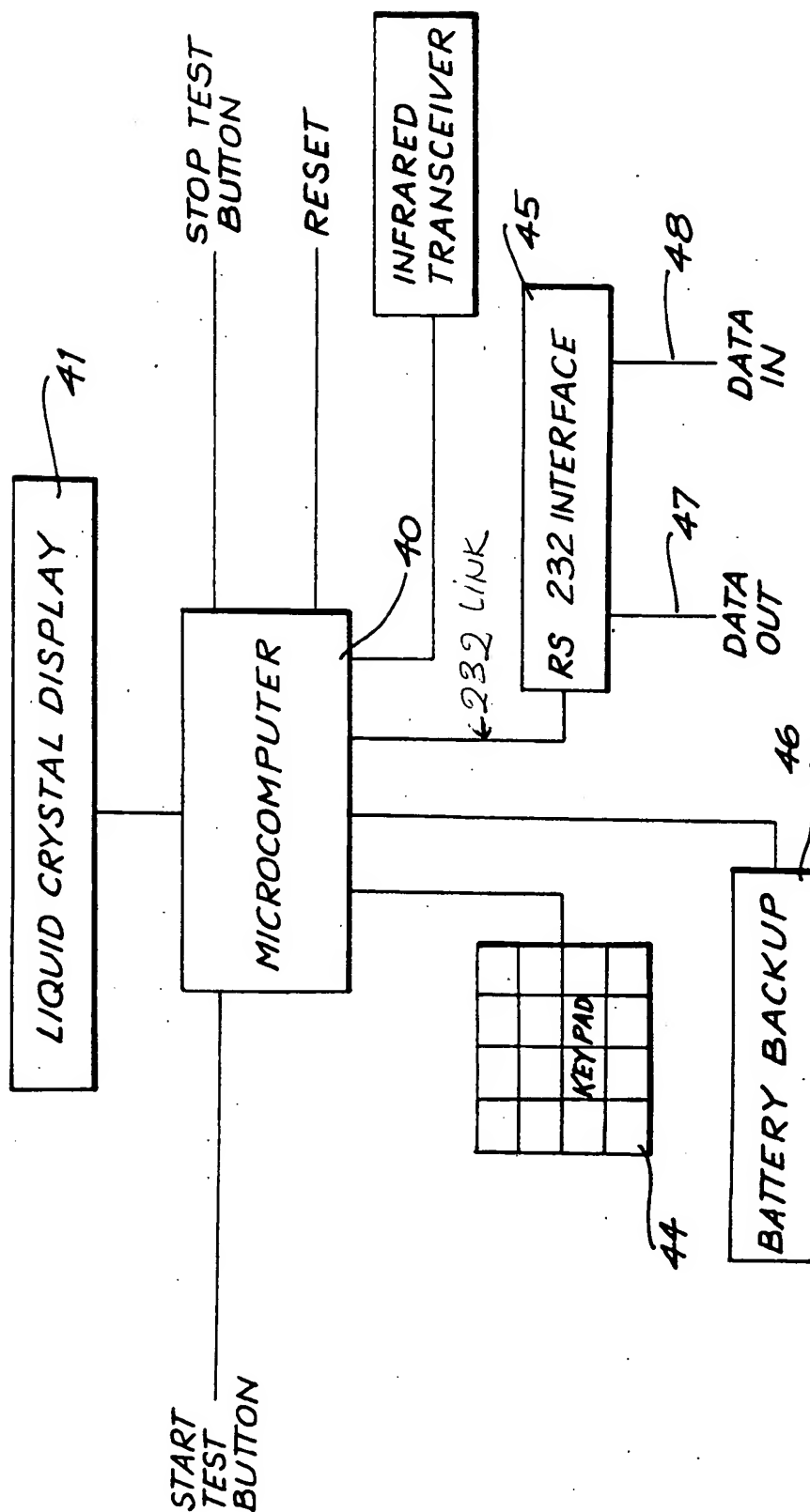


FIG. 4